

From: Stuart Beaton
To: Microsoft ATR
Date: 1/23/02 12:24pm
Subject: Microsoft Settlement

As allowed under the Tunney Act, I wish to register my protest to the Proposed Final Judgement in the U.S. vs Microsoft case.

The PFJ will do little to restrain the anti-competitive behavior of Microsoft. This company has shown its disdain of the courts in its non-compliance with previous court orders and in its behavior during this proceeding. The PFJ suffers from many faults; choosing one example would be that the PFJ places restrictions on how Microsoft licenses its products to OEMs, but not on how it licenses products to large users such as corporations, universities, and governments, collectively referred to as 'enterprises'. Yet enterprise license agreements often resemble the per-processor licenses which were prohibited by the 1994 consent decree in the earlier US v. Microsoft antitrust case, in that a fee is charged for each desktop or portable computer which could run a Microsoft operating system, regardless of whether any Microsoft software is actually installed on the affected computer. These agreements are anticompetitive because they remove any financial incentive for individuals or departments to run non-Microsoft software.

I urge all parties involved to reconsider the proposed settlement. Microsoft deserves more than a slap on the wrist for its destructive abuse of its monopoly power. More importantly, American consumers need to be protected against future abuses.

Thank you for your time,

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